

MaineHealth

MaineHealth Local Health Systems

Franklin Community
Health Network
LincolnHealth
MaineHealth Care At Home
Maine Behavioral Healthcare
Memorial Hospital
Maine Medical Center
Mid Coast-Parkview Health
NorDx
Pen Bay Medical Center
Southern Maine Health Care
Synernet
Waldo County General Hospital
Western Maine Health

Part of the MaineHealth Family

MaineHealth Accountable
Care Organization

MaineHealth Affiliates

MaineGeneral Health
New England Rehabilitation
Hospital of Portland
St. Mary's Health System

Testimony of Dr. Tim Fox, Chief Medical Officer, LincolnHealth

In Strong Support of LD 861

“Resolve, Directing the Department of Health and Human Services to Contract for Assessments for Involuntary Hospitalizations”

April 8, 2021

Senator Carney, Representative Harnett and Members of the Judiciary Committee, I am Dr. Tim Fox, and I am here to testify in strong support of LD 861.

I am the Chief Medical Officer at LincolnHealth and a practicing Emergency Physician. I chair MaineHealth’s internal Emergency Physician Committee, which is comprised of providers who staff MaineHealth’s 10 emergency departments, and I participated on an internal workgroup that reviewed and advised the system on the Yellow Flag law that was passed by the 129th Maine Legislature.

This is a simple bill intended to fix a very challenging problem. As it noted in our testimony on LD 1811, MaineHealth continues to support the intent of this law; to ensure that individuals who pose threat of harm do not have access to dangerous weapons. People who would meet this standard fall into two common categories: those who pose a threat of harm to themselves, and those who pose a threat of harm to other people. It is the latter category that presents a serious concern to our hospital providers – people who are violent and angry, and who may not have an illness that can be appropriately treated at a hospital. This group of individuals can also pose a threat of harm to the Emergency Department’s care team members – particularly if they believe the care team members are responsible for taking away their guns.

When LD 1811 passed, this threat was recognized by the law’s requirement that the State set up alternative assessment sites in which the Yellow Flag exams would be conducted remotely. Those sites were never developed, with the fallback being our hospital Emergency Departments. MaineHealth’s hospitals joined most other hospitals in Maine in determining that it was too dangerous to do yellow flag assessments ourselves. We cannot put our care team members at further risk by bringing into our hospitals patients whose sole reason for being assessed is the likelihood of violent behavior.

In our small, rural ED, we are already experiencing unprecedented levels of violence. Care team members – most commonly nurses – are threatened and experience acts of physical violence on an all too regular basis. We are ill-equipped to deal with this dangerous behavior, and believe strongly that safety should dictate that individuals exhibiting outwardly threatening behavior that

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appears to meet the yellow flag criteria should be assessed by forensic clinicians who are remote to the patient. This bill will ensure that such assessment sites are developed.

Thank you for the opportunity to testify in support of this important legislation, and I would be happy to answer questions.

Thank you for the opportunity to testify on this important bill. Given the level of violence that we are seeing on a national level, it is particularly important that we implement this law in the near future.